

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
V.)	2:05cr122-T
)	
PATRICIA ANN CANTALINE)	

**DEFENDANT’S MOTION FOR DETENTION HEARING & REQUEST FOR
PRETRIAL SERVICES INTERVIEW**

COMES NOW Patricia Ann Cantaline, by undersigned counsel, Kevin L. Butler, and moves pursuant to 18 U.S.C. § 3141 for a detention hearing and upon conclusion of such hearing moves pursuant to 18 U.S.C. § 3142 for release. In support of this motion the defendant states:

1. On or about December 2004, the State of Alabama arrested and charged Ms. Cantaline with drug related offenses in Covington County. The case number is CC-2004-427.
2. On May 25, 2005, the United States charged Ms. Cantaline by indictment filed in this Court with distribution of a controlled substance in violation of 18 U.S.C. § 841(a)(1). The alleged criminal conduct in the federal indictment is the same conduct charged in the state case.
3. On about July 13, 2005, Ms. Cantaline was brought to this court pursuant to a Writ of Habeas Corpus as Prosequendum to answer to the charges filed in this Court.
4. As Ms. Cantaline was in state custody and not subject to release, no detention hearing was conducted.
5. On July 15, 2005, the State of Alabama dismissed State of Alabama v. Patricia A.

Cantaine. See Exhibit 1.

6. As there is no longer a state “detainer/hold” on Ms Cantaine, she is entitled to a determination by a judicial officer of whether he should be released or detained pursuant to the provision of 18 U.S.C. § 3142. See 18 U.S.C. § 3141.

WHEREFORE, Mr. Cantaine moves this Court to schedule a detention hearing in this matter and requests an interview with the United States Probation Office’s Pretrial Services division prior to the hearing.

Respectfully submitted,

s/ Kevin L. Butler
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CERTIFICATE OF SERVICE

I hereby certify that on July 26, 2005, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Kent Brunson, Esquire
Assistant United States Attorney
One Court Square, Suite 201
Montgomery, Alabama 36104

Respectfully submitted,

s/ Kevin L. Butler
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